



#8158 Ref
8/28/02
AUG 27 2002
RECEIVED

PTO/SB/30 (10-01)
Approved for use through 10/31/2002. OMB 0651-0631
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL		<i>Application Number</i>	09/825,713-Conf. #3131
Address to: Commissioner for Patents Box RCE Washington, DC 20231		<i>Filing Date</i>	April 4, 2001
		<i>First Named Inventor</i>	Matthew During
		<i>Group Art Unit</i>	1636
		<i>Examiner Name</i>	K. Katcheves
		<i>Attorney Docket No.</i>	104036-0014

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114
 - a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____ PTO-1449 Form w/ 40 references cited therein
2. Miscellaneous
 - a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - b. Other _____
3. Fees

The RCE fee under 37 CFR 1.17 (e) is required by 37 CFR 1.114 when the RCE is filed.

 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
 - i. RCE fee required under 37 CFR 1.17(e)
 - ii. Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. Other _____
 - b. Check in the amount of \$ 370.00 enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Jasbir Sagoo, Ph.D.	Registration No. (Attorney/Agent)	51,177
Signature		Date	Aug 20, 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box RCE, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: AUG 20 2002 Signature: (Jasbir Sagoo, Ph.D.)



PTO/SB/17 (11-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 370.00

Complete if Known

Application Number	09/875,713 Conf. No. 3131
Filing Date	April 4, 2002
First Named Inventor	Matthew During
Examiner Name	K. Katcheves
Group Art Unit	1636
Attorney Docket No.	104036-14

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None
 Deposit Account

Deposit Account Number **141449**

Deposit Account Name **Nutter McClellan & Fish LLP**

The Commissioner is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
- Charge any additional fee(s) during the pendency of this application
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	370.00
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 370.00

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Name (Print/Type)	Jasbir Sagoo, Ph.D.	Registration No. (Attorney/Agent)	51,177	Complete (if applicable)
Signature			Date	

Fee Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box RCE, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: **Aug 29 2002**

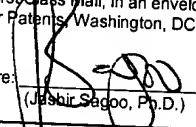
Signature:

(Jasbir Sagoo, Ph.D.)

RECEIVED
TECH CENTER
AUG 27 2002



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box RCE, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: Aug 20, 2002 Signature: 
(Jasbir Sahoo, Ph.D.)

#91B50
8/26/02
RECEIVED
TECH CENTER 1600
AUG 27 2002
Docket No. 10436-14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Matthew During *et al.*

Conf. No. 3131

Application No.: 09/875,713

Group Art Unit: 1636

Filed: April 4, 2001

Examiner: K. Katcheves

For: APPLICATION OF MYELOID-ORIGIN
CELLS TO THE NERVOUS SYSTEM

TRANSMITTAL LETTER

Box RCE
Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

Applicants respectfully request entry of the following amendment pursuant to 37 C.F.R. § 1.114 in response to the Final Office Action mailed May 20, 2002. This communication is being filed within three (3) months of the mailing date of the Final Office Action. Accordingly, no fees are due with this Response.

This Amendment is being filed together with a Request for Continued Examination and an Information Disclosure Statement. Applicants hereby make of record the enclosed documents listed on the attached copy of PTO/SB/08A (1449) in accordance with 37 C.F.R. §1.97(b).

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Amendment and Response to Final Office Action (14 pages);
2. Request for Continued Examination (RCE) (1 page);
3. Information Disclosure Statement (2 pages);
4. PTO-1449 Form with forty (40) references cited therein;
5. Fee Transmittal (1 page);

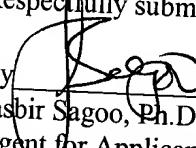
6. A check in the amount of \$370.00 (for RCE filing fees);
7. Return receipt postcard

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Reference No. 104036-14, Customer No. 021125. A duplicate copy of this paper is enclosed.

Dated:

Aug 20, 2002

Respectfully submitted,

By 

Jasbir Sagoo, Ph.D., Reg. No. 51,177

Agent for Applicants

NUTTER MCCLENNEN & FISH LLP

World Trade Center West

Boston, MA 02210-2604

Tel. (617) 439-2000

1135826.1